

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JOHNNY W. SASSER,

Plaintiff(s),

v.

**RYDER TRUCK RENTAL, INC., d/b/a
RYDER DEDICATED LOGISTICS, INC.,
a/k/a RYDER INTEGRATED
LOGISTICS, INC., RYDER SERVICES
CORPORATION and MARTYE LLOYD,**

Defendant(s).

**Civil Action No.
2:06-cv-593-CSC**

**JOINT MOTION TO CONTINUE TRIAL AND
EXTEND SCHEDULING ORDER DEADLINES**

COME NOW, all parties to the above-styled case, jointly, by and through their undersigned counsel, and file this Motion to Continue the Trial and Extend the Scheduling Order Deadlines, and state as follows:

1. Counsel for all Parties have consulted with one another with respect to remaining discovery to be completed, settlement and mediation, and trial readiness.
2. The parties have in fact completed substantial discovery. However the parties have encountered some unavoidable delays in discovery, partially as a result of certain health issues effecting Plaintiff's attorney. Her condition has required her to be hospitalized for a week in August, and unable to work for another week following that. After a period of some improvement, her condition recently worsened again, in late September 2007. Her medical

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condition is of a continuing and unpredictable nature, and is from time to time debilitating.

Further medical treatment is anticipated.

3. Among the specific discovery remaining: the Defendant scheduled the deposition of Dr. Barnhard (Plaintiff's treating physician) for September 28, 2007. With little notice, Dr. Barnhard's office cancelled the deposition. The make-up date provided by Dr. Barnhard (October 11, 2007) conflicts with multiple hearings involving Plaintiff's attorney, including a significant child custody matter.
4. The remaining discovery is necessary for a full and fair presentment of the issues to the jury for the resolution of the case.
5. The Parties are in agreement that a continuance of the trial, with a like extension of deadlines in the Court's Scheduling Order, will not prejudice either party, and will in fact promote the truth-seeking function of the Court. The Parties note this Motion is being filed in advance of the existing discovery deadline.

WHEREFORE, PREMISES CONSIDERED, the parties jointly move this Honorable Court to continue the trial of this case, and extend the deadlines in the scheduling order in like manner.

Respectfully submitted,

By: /s/ Amy M. Shumate
Amy M. Shumate, Esq. (SHU015)
Attorney for Plaintiff

OF COUNSEL:
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Respectfully submitted,

By: /s/ William A. Austill
William A. Austill (Fed ID: 4 [REDACTED])
Attorney for Defendants

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